



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Baxter, et al.	Confirmation No.:	7561
Serial No.:	09/281,717	Art Unit	1631
Filed:	March 30, 1999	Examiner:	M. Moran
For:	METHODS FOR MODULATING NUCLEAR RECEPTOR COACTIVATOR BINDING (as amended)		
	Attorney Docket No.: 61040-0008-US		

**STATEMENT UNDER 37 C.F.R. § 3.73(b) AND  
REQUEST UNDER 37 C.F.R. § 3.81(a) FOR PATENT TO ISSUE TO ASSIGNEE**

Mail Stop: Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Regents of the University of California states that it is the assignee of the entire right, title and interest in the above-identified patent application by virtue of an assignment from the inventors of the above-identified patent application, a copy of which assignment is attached hereto and has been submitted on even date herewith to the Assignment Division of the United States Patent and Trademark Office. A copy of the recordation cover sheet evidencing such submission is also attached hereto.

Accordingly, the undersigned respectfully requests issue of the above-identified patent application in the name of its assignee, The Regents of the University of California, and respectfully points out that payment of the issue fee is being authorized on even date herewith.

The undersigned is authorized to act on behalf of the assignee, by virtue of a Revocation and Power of Attorney filed in the instant application on February 5, 2004.

Date: June 3, 2005

  
Richard G. A. Bone 56,637  
(Reg. No.)

for Thomas D. Kohler (Reg. No. 32,797)  
MORGAN, LEWIS & BOCKIUS LLP  
2 Palo Alto Square  
3000 El Camino Real, Suite 700  
Palo Alto, CA 94306  
(650) 843-4000

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

Atty Docket No. 61040-0008-US

Mail Stop Assignment Recordation Services  
Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  John D. Baxter Weijun Feng Robert J. Fletterick Peter J. Kushner Richard L. Wagner Brian L. West Keith R. Yamamoto Beatrice Darimont		2. Name and address of receiving party(ies):  Name:  <b>The Regents of the University of California</b> Address: <b>1111 Franklin Street, 12th Floor</b> <b>Oakland, CA 94607</b>
Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Country (if other than USA):
3. Nature of conveyance:  <input checked="" type="checkbox"/> Assignment                      Merger  <input type="checkbox"/> Security Agreement              Change of Name  <input type="checkbox"/> Other		Execution Date: <u>8/16/04, 4/13/04, 11/24/03, 5/13/04, 4/16/04, 3/19/04,</u> <u>12/10/03, 05/31/05</u>
4. Application number(s) or patent number(s): 09/281,717		

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) -	B. Patent No.(s)
Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name and address of party to whom correspondence concerning document should be mailed:  MORGAN, LEWIS & BOCKIUS LLP 2 Palo Alto Square 3000 El Camino Real, Suite 700 Palo Alto, California 94306	
6. Number of applications and patents involved: <u>1</u>	
7. Total fee (37 CFR 3.41): ..... \$ 40.00 Please charge to the deposit account listed in Section 8.	
8. Deposit account number: <b>50-0310 (order no. 61040-0008-US)</b>	

**DO NOT USE THIS SPACE**

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Richard G. A. Bone  
Name of Person Signing

56,637  
Reg. No.

*Richard G. A. Bone*  
Signature

June 3, 2005  
Date

Total number of pages including cover sheet:

9

Mail documents to be recorded with required cover sheet information to:  
Mail Stop Assignment Recordation Services  
Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COPY**

## ASSIGNMENT

WHEREAS, WE, JOHN D. BAXTER, a citizen of the United States, residing at 131 San Pablo Avenue, San Francisco, California 94127; BEATRICE DARIMONT a citizen of Germany, residing at 2474 Portland Street, Eugene, Oregon 97405; WEIJUN FENG, a citizen of the People's Republic of China, residing at 150 Sierrawood Avenue, Hayward, California; ROBERT J. FLETTERICK, a citizen of the United States, residing at 2535 Skyfarm Drive, Hillsborough, California 94010; PETER J. KUSHNER, a citizen of the United States, residing at 1362 6<sup>th</sup> Avenue, San Francisco, California 94122; RICHARD L. WAGNER, a citizen of the United States, residing at 1701 Waller Street, San Francisco, California 94117; BRIAN L. WEST, a citizen of the United States, residing at 142 Anderson Street, San Francisco, California 94110; and KEITH R. YAMAMOTO, citizen of the United States, residing at 322 Douglass Street, San Francisco, California 94114, ASSIGNORS, are the inventors of the invention in METHODS AND COMPOUNDS OF MODULATING NUCLEAR RECEPTOR COACTIVATOR BINDING for which we have executed an application for a Patent of the United States

- which is identified by Pennie & Edmonds LLP docket no. 9811-008-999
- which was filed on March 30, 1999, Application No. 09/281,717

and WHEREAS, THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, having its offices at 1111 Franklin Street, 12th Floor, Oakland, CA 94607, ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, including Canadian patent application no. 2,323,575; Australian patent application no. 57690/99; Japanese patent application no. 2000-549632; Korean patent application no. 2000/7010952; European patent application no. 99944980.4; and PCT application no. PCT/US99/06899, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date AUGUST 16, 2004, 2003

  
John D. Baxter

L.S.

State of New York )  
County of New York ) SS.:  
)

On AUGUST 16, 2004, before me, FRANK J. ALBREZZI, Notary Public, personally appeared John D. Baxter, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

FRANK J. ALBREZZI JR.  
Notary Public, State of New York  
No. 01AL6018512  
Qualified in Kings County

Date 4/13/04, 2004  
Date                   , 2003

*W-Feng*

L.S.

WEIJUN FENG

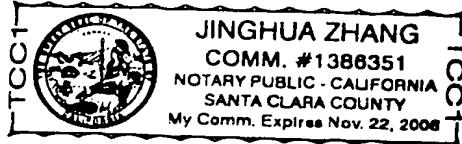
State of California )  
                            ) SS.:  
County of Santa Clara )

(J2)

On April 13, 2004 before me, JINGHUA ZHANG, Notary Public, personally appeared Weijun Fung, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

*Weijun Fung*



Date

Nov 24, 2003

. 2003

ROBERT J. FLETTERICK

L.S.

State of )  
            ) SS.:  
County of )

On \_\_\_\_\_, 2003, before me, \_\_\_\_\_ Notary Public, personally appeared Robert J. Fletterick, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

I CONCUR.



DEBORA SINCERE

Date May 13, 2004, 2003

PETER J. KUSHNER

L.S.

State of California )  
County of San Francisco ) SS.:  
On May 13, 2004 RLM-

before me, Ruth L. Moffatt Notary Public, personally appeared Peter J. Kushner,  
personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me  
that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon  
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Ruth L. Moffatt



Date

April 16

2004  
2005

RICHARD L. WAGNER

L.S.

State of CALIFORNIA )  
County of ALAMEDA ) SS.:  
)

On APRIL 16, 2004, before me, HENRY P. CARANDANG Notary Public, personally appeared Richard L. Wagner, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Henry P. Carandang



Date

March 19, 2004

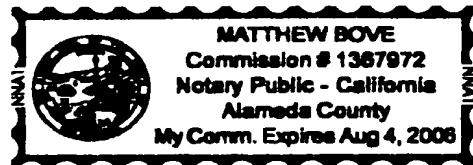
BRIAN L. WEST

L.S.

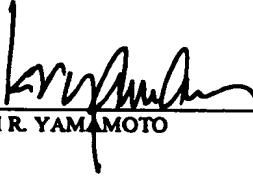
State of California )  
County of Alameda ) SS.:  
                      )

On March 19, 2004, before me, Matthew Bove, Notary Public, personally appeared Brian L. West, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she they executed the same in his/her their authorized capacity(ies), and that by his/her their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



Date DECEMBER 10, 2003

  
KEITH R. YAMAMOTO

L.S.

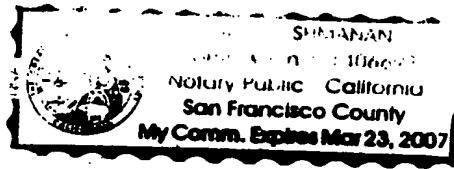
State of California )  
SAN FRANCISCO SS. # 480-60-0773

County of United )  
States of America

On DEC 10, 2003, before me, LALIT LAKSHMANAN Notary Public, personally appeared Keith R. Yamamoto, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal





06/02/05 THU 11:41 FAX 541 346 5891  
MAY 27 2005 12:25 FR MORGAN LEWIS

MOLECULAR BIOLOGY

650 8434001 TO 15005#0610400008 P.03 2003

Date 05-31, 2005

Beatrice D. Dorineau  
BEATRICE DARDINOU

State of \_\_\_\_\_  
County of \_\_\_\_\_ }  
                  } St.

on May 31, 2005, before me, Abigail D. Molina Notary Public, personally appeared Beatrice Dorineau, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

Abigail D. Molina  
WITNESS my hand and official seal



my commission expires: 8/11/08

CAL:359088.LI

\*\* TOTAL PAGE .03 \*\*



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Baxter et al. Confirmation No.: 7561  
 Serial No.: 09/281,717 Art Unit: 1631  
 Filed: March 30, 1999 Examiner: M. Moran  
 For: METHODS FOR Attorney Docket No.: 61040-0008 US  
 MODULATING NUCLEAR  
 RECEPTOR COACTIVATOR  
 BINDING (as amended)

**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS**  
**UNDER 37 C.F.R. § 1.27(c)(1)**

Mail Stop: Issue Fee  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby assert, under 37 C.F.R. § 1.27(c)(1), entitlement to small entity status in the above-identified patent application, for the purpose of paying reduced fees in connection therewith.

Applicants believe that no fee is due with this communication. However, if it is determined that a fee is due, please charge the required fee to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (order no. 61040-0008-US). A copy of this sheet is enclosed for this purpose.

Respectfully submitted,

Date: June 3, 2005 By: Richard G. A. Bone 56,637  
 Richard G. A. Bone Reg. No.

for Thomas D. Kohler (32,797)  
 Morgan Lewis & Bockius LLP  
 2 Palo Alto Square  
 3000 El Camino Real, Suite 700  
 Palo Alto, CA 94306  
 (650) 843-4000